UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

<table>
<tr><td rowspan="2"><i>Office Action Summary</i></td><td colspan="2">Application No.</td><td colspan="2">Applicant(s)</td></tr>
<tr><td colspan="2">10/661,779</td><td colspan="2">MAHONEN ET AL.</td></tr>
<tr><td></td><td>Examiner</td><td></td><td>Art Unit</td><td></td></tr>
<tr><td></td><td>Raymond S. Dean</td><td></td><td>2618</td><td></td></tr>
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>13 February 2007</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,4-17,19-22,24,25,27 and 28</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,4-17,19-22,24,25,27 and 28</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>11 September 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

February 13, 2007 has been entered.

Response to Arguments

2.   Applicant's arguments with respect to claim 1 have been considered but are moot

in view of the new ground(s) of rejection.

        Taylor et al. (US 6,865,683) teaches a command to automatically switch off a

mobile device after the completion of an event or task (See Abstract, Cols.1 lines 30 –

34, 3 lines 59 – 64).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1 – 2, 4 – 11, 14 – 25, and 27 – 28 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Lunsford et al. (US 6,901,434) in view of Taylor et al. (US

6,865,683).

        Regarding Claim 1, Lunsford teaches a method comprising: selecting from

among a plurality of operational modes available for user selection in a first mobile

terminal device one individual operational mode in accordance with at least one

received user input to said first mobile terminal device (Column 2 lines 66 – 67, Column

3 lines 1 – 4, lines 17 – 27, standard mode for a typical PDA comprises an organization

mode in which a user can conduct calendar functions, appointment functions and other

organizing functions, there is also a synchronization mode), said operational modes

being related to behavior of the first mobile terminal in certain operational situations

(Column 2 lines 66 – 67, Column 3 lines 1 – 4, lines 17 – 27, standard mode for a

typical PDA comprises an organization mode in which a user can conduct calendar

functions, appointment functions and other organizing functions, there is also a

synchronization mode); wherein said one selected individual operational mode contains

a command to trigger an automated synchronization with a second mobile terminal

device (Figure 2, Columns 3 lines 17 – 62, 4 lines 1 – 38) and a command to switch off

said first mobile terminal device after the completion of said automated synchronization

(Column 2 lines 66 – 67, Column 3 lines 1 – 4, typical PDAs comprise buttons to switch

said PDAs on and off, a user can switch the PDA off after synchronizing with another

PDA); said first mobile terminal device checking availability of said second mobile

terminal device for performing said automated synchronization and, if available, said

commands are triggered in said first mobile terminal device for performing said

automated synchronization between said first mobile terminal device and said second

mobile terminal device in accordance with pre-defined synchronization settings (Figure

2, Columns 3 lines 17 – 62, 4 lines 1 – 38, the acceptance of the request by the second

mobile terminal implies that the second mobile terminal is available) and switching off

said first mobile terminal device after completion of said automated synchronization

(Column 2 lines 66 – 67, Column 3 lines 1 – 4, typical PDAs comprise buttons to switch

said PDAs on and off, a user can switch the PDA off after synchronizing with another

PDA).

Lunsford does not teach a command to automatically switch off said first mobile

terminal device.

Taylor teaches a command to automatically switch off said first mobile terminal

device (Abstract, Cols.1 lines 30 – 34, 3 lines 59 – 64).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made modify the PDAs of Lunsford with the above PDA application

taught by Taylor for the purpose of extending the battery life of said PDAs as taught by

Taylor.

Regarding Claim 17, Lunsford teaches a mobile terminal device having a plurality

of operational modes related to behavior of the mobile terminal device in certain

operational situations (Column 2 lines 66 – 67, Column 3 lines 1 – 4, lines 17 – 27,

standard mode for a typical PDA comprises an organization mode in which a user can

conduct calendar functions, appointment functions and other organizing functions, there

is also a synchronization mode) comprising: for automated synchronization with another

mobile terminal device (Figure 1, Columns: 2 lines 11 – 14, lines 66 – 67, 3 lines 1 – 4),

comprising: at least one actuator for user selection of one operational mode out of said

plurality of operational modes (Column 3 lines 17 – 27); a synchronization component

for determining if another mobile terminal device is connectable and ready for

synchronizing information stored in a data storage (Figure 2, Columns 3 lines 17 – 62, 4

lines 1 – 38, the fact that the second mobile device signals the acceptance to the first

mobile device means that the second mobile device is connectable and ready); and a

communication interface for exchanging synchronization related information (Figure 1,

Column 2 lines 45 – 51); wherein the one selected operational mode includes a

command to trigger an automated synchronization with said other mobile terminal

device if said other mobile terminal device is determined to be connectable and ready

(Figure 2, Columns 3 lines 17 – 62, 4 lines 1 – 38), and a command to switch off said

mobile terminal device after completion of said automated synchronization (Column 2

lines 66 – 67, Column 3 lines 1 – 4, typical PDAs comprise buttons to switch said PDAs

on and off, a user can switch the PDA off after synchronizing with another PDA), and in

response to said commands, said synchronization component is activated to perform

said automated synchronization with said other mobile terminal device via said

communication interface, said automated synchronization is performed in accordance

with pre-defined synchronization settings (Figure 2, Columns 3 lines 17 – 62, 4 lines 1 –

38, the acceptance of the request by the second mobile terminal implies that the second

mobile terminal is available), and said mobile terminal device is switched off after

completion of said automated synchronization (Column 2 lines 66 – 67, Column 3 lines

1 – 4, typical PDAs comprise buttons to switch said PDAs on and off, a user can switch

the PDA off after synchronizing with another PDA).

Lunsford does not teach a command to automatically switch off said first mobile

terminal device.

Taylor teaches a command to automatically switch off said first mobile terminal

device (Abstract, Cols.1 lines 30 – 34, 3 lines 59 – 64).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made modify the PDAs of Lunsford with the above PDA application

taught by Taylor for the purpose of extending the battery life of said PDAs as taught by

Taylor.

Regarding Claim 22, Lunsford teaches a system comprising a first mobile

terminal device operable in a plurality of operational modes related to behavior of the

mobile terminal device in certain operational situations (Column 2 lines 66 – 67,

Column 3 lines 1 – 4, lines 17 – 27, standard mode for a typical PDA comprises an

organization mode in which a user can conduct calendar functions, appointment

functions and other organizing functions, there is also a synchronization mode); said

first mobile terminal device comprising: at least one actuator for user selection of one

operational mode out of the plurality of operational modes (Column 3 lines 17 – 27); a

synchronization component for determining if another mobile terminal device is

connectable and ready to synchronize information stored in a data storage (Figure 2,

Columns 3 lines 17 – 62, 4 lines 1 – 38, the fact that the second mobile device signals

the acceptance to the first mobile device means that the second mobile device is

connectable and ready); and a communication interface for exchanging

synchronization related information (Figure 1, Column 2 lines 45 – 51); a second

mobile terminal device, comprising: a synchronization component for synchronizing of

information stored in a data storage with said first terminal device (Figure 2, Columns 3

lines 17 – 62, 4 lines 1 – 38); and a communication interface for exchanging

synchronization related information (Figure 1, Column 2 lines 45 – 51); wherein said

one selected operational mode of said first terminal device contains a command to

trigger an automated synchronization with the second mobile terminal device if said

second mobile device is determined to be connectable and ready to synchronize

(Figure 2, Columns 3 lines 17 – 62, 4 lines 1 – 38), and a command to switch off said

first terminal device after completion of said automated synchronization (Column 2

lines 66 – 67, Column 3 lines 1 – 4, typical PDAs comprise buttons to switch said PDAs

on and off, a user can switch the PDA off after synchronizing with another PDA);

wherein said synchronization component of said first terminal device is activated in

response to said commands if said second terminal device is determined to be

connectable and ready to perform said automated synchronization with said

synchronization component of the second mobile terminal device via said

communication interface of said first mobile terminal device and said communication

interface of said second mobile terminal device (Figure 2, Columns 3 lines 17 – 62, 4

lines 1 – 38, the acceptance of the request by the second mobile terminal implies that

the second mobile terminal is available), said automated synchronization is performed

in accordance with pre-defined synchronization settings (Figure 2, Columns 3 lines 17

– 62, 4 lines 1 – 38), and said first mobile terminal device is switched off after

completion of said automated synchronization (Column 2 lines 66 – 67, Column 3 lines

1 – 4, typical PDAs comprise buttons to switch said PDAs on and off, a user can switch

the PDA off after synchronizing with another PDA).

Lunsford does not teach a command to automatically switch off said first mobile

terminal device.

Taylor teaches a command to automatically switch off said first mobile terminal

device (Abstract, Cols.1 lines 30 – 34, 3 lines 59 – 64).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made modify the PDAs of Lunsford with the above PDA application

taught by Taylor for the purpose of extending the battery life of said PDAs as taught by

Taylor.

Regarding Claim 28, Lunsford teaches an apparatus, comprising: means for

selecting in a first mobile terminal device one individual mode in accordance with at

least one received user input to said first mobile terminal device wherein said one

selected individual mode contains a command to trigger an automated synchronization

with a second mobile terminal device (Figure 2, Columns 3 lines 17 – 62, 4 lines 1 – 38,

synchronization mode) and a command to switch off the first mobile terminal after

completion of said automated synchronization (Column 2 lines 66 – 67, Column 3 lines

1 – 4, typical PDAs comprise buttons to switch said PDAs on and off, a user can switch

the PDA off after synchronizing with another PDA); means for checking availability of

said second mobile terminal device for performing said automated synchronization so that said automated synchronization is triggered by said availability (Figure 2, Columns 3 lines 17 – 62, 4 lines 1 – 38, the acceptance of the request by the second mobile terminal implies that the second mobile terminal is available); means for performing said automated synchronization between said first mobile terminal device and said second mobile terminal device in accordance with pre-defined synchronization settings if said second mobile terminal device is available (Figure 2, Columns 3 lines 17 – 62, 4 lines 1 – 38, the acceptance of the request by the second mobile terminal implies that the second mobile terminal is available); and means for switching off the first mobile terminal after completion of said automatic synchronization (Column 2 lines 66 – 67, Column 3 lines 1 – 4, typical PDAs comprise buttons to switch said PDAs on and off, a user can switch the PDA off after synchronizing with another PDA).

Lunsford does not teach a command to automatically switch off said first mobile terminal device.

Taylor teaches a command to automatically switch off said first mobile terminal device (Abstract, Cols.1 lines 30 – 34, 3 lines 59 – 64).

It would have been obvious to one of ordinary skill in the art at the time the invention was made modify the PDAs of Lunsford with the above PDA application taught by Taylor for the purpose of extending the battery life of said PDAs as taught by Taylor.

Regarding Claim 4, Lunsford in view of Taylor teaches all of the claimed limitations recited in Claim 1. Lunsford further teaches wherein said one selected

individual operational mode comprises activation that triggers an immediate automated synchronization (Column 3 lines 17 – 62, 4 lines 1 – 38).

Regarding Claim 5, Lunsford in view of Taylor teaches all of the claimed limitations recited in Claim 1. Lunsford further teaches wherein said selected individual operational mode once deactivated triggers an immediate automated synchronization (Column 2 lines 66 – 67, Column 3 lines 1 – 4, lines 17 – 27, PDAs have a standard mode, which is the mode for standard operations such calendar, appointment, and other organizing functions, when a user desires synchronization there will be a deactivation of the standard mode thus allowing synchronization to take place via the synchronization mode).

Regarding Claim 6, Lunsford in view of Taylor teaches all of the claimed limitations recited in Claim 4. Lunsford further teaches wherein said activation comprises switching on said first terminal device (Column 2 lines 66 – 67, Column 3 lines 1 – 4, typical PDAs comprise buttons to switch said PDAs on and off).

Regarding Claim 7, Lunsford in view of Taylor teaches all of the claimed limitations recited in Claim 1. Lunsford further teaches wherein said at least one user input triggers a switching on of said first mobile terminal device (Column 2 lines 66 – 67, Column 3 lines 1 – 4, typical PDAs comprise buttons to switch said PDAs on and off).

Regarding Claim 8, Lunsford in view of Taylor teaches all of the claimed limitations recited in Claim 1. Lunsford further teaches wherein said at least one user input triggers a switching off of said first mobile terminal device (Column 2 lines 66 – 67, Column 3 lines 1 – 4, typical PDAs comprise buttons to switch said PDAs on and off).

Regarding Claim 9, Lunsford in view of Taylor teaches all of the claimed

limitations recited in Claim 1. Lunsford further teaches wherein said pre-defined

synchronization settings comprise information relating to properties including at least

one of a group comprising: information relating to specific data to be synchronized;

information relating to specific applications of which data is to be synchronized;

information about a type of synchronization; information relating to said second mobile

terminal device; authentication information; information relating to a communication

connection to be used for synchronization; and information about an environment in

which said automated synchronization is to be carried out (Column 3 lines 28 – 40).

Regarding Claim 10, Lunsford in view of Taylor teaches all of the claimed

limitations recited in Claim 1. Lunsford further teaches wherein said automated

synchronization is performed via a local communication connection (Column 2 lines 45

– 51).

Regarding Claims 11, 20, 25, Lunsford in view of Taylor teaches all of the

claimed limitations recited in Claims 1, 17, 22. Lunsford further teaches wherein said

automated synchronization is performed in a device-to-device manner (Figure 1).

Regarding Claim 14, Lunsford in view of Taylor teaches all of the claimed

limitations recited in Claim 1. Lunsford further teaches a software tool for automated

synchronization between a first mobile terminal device and a second mobile terminal

device, comprising a computer program for carrying out the method of claim 1, when

said program is executed on a processing device (Column 2 lines 66 – 67, Column 3

lines 1 – 4, typical PDAs comprise processors that run program instructions or code

thus enabling said PDAs to conduct various functions such as the synchronization

function).

Regarding Claim 15, Lunsford in view of Taylor teaches all of the claimed

limitations recited in Claim 1. Lunsford further teaches a computer program product for

automated synchronization between a first terminal mobile device and a second mobile

terminal device, comprising program code stored on a computer readable medium for

carrying out the method of claim 1, when said computer program is executed on a

processing device (Column 2 lines 66 – 67, Column 3 lines 1 – 4, typical PDAs

comprise processors that run program instructions or code thus enabling said PDAs to

conduct various functions such as the synchronization function).

Regarding Claim 16, Lunsford in view of Taylor teaches all of the claimed

limitations recited in Claim 1. Lunsford further teaches a computer program product for

automated synchronization between a first terminal mobile device and a second mobile

terminal device, wherein said computer program product comprises program code

stored on a computer readable medium for carrying out the method of claim 1, when

said computer program product is executed on a processing device (Column 2 lines 66

– 67, Column 3 lines 1 – 4, typical PDAs comprise processors that run program

instructions or code thus enabling said PDAs to conduct various functions such as the

synchronization function, said program instructions are stored in memory which is a

computer readable medium).

Regarding Claims 19, 24, Lunsford in view of Taylor teaches all of the claimed

limitations recited in Claims 17, 22. Lunsford further teaches an actuator comprising a

power on/off actuator for triggering a switching on and a switching off of said mobile

terminal device (Column 2 lines 66 – 67, Column 3 lines 1 – 4, typical PDAs comprise

buttons to switch said PDAs on and off).

Regarding Claims 21, 27, Lunsford in view of Taylor teaches all of the claimed

limitations recited in Claims 17, 22. Lunsford further teaches receiving at least one user

input (Column 3 lines 17 – 27); selecting said one operational mode in accordance with

said user selection (Column 3 lines 17 – 27, synchronization mode); wherein said one

selected operational mode contains a command to trigger said automated

synchronization (Figure 2, Columns 3 lines 17 – 62, 4 lines 1 – 38) and a command to

switch off said mobile terminal device after completion of said automated

synchronization (Column 2 lines 66 – 67, Column 3 lines 1 – 4, typical PDAs comprise

buttons to switch said PDAs on and off, a user can switch the PDA off after

synchronizing with another PDA); and performing said automated synchronization

between said first mobile terminal device and said other mobile terminal device in

accordance with pre-defined synchronization settings (Figure 2, Columns 3 lines 17 –

62, 4 lines 1 – 38) and switching off said mobile device after completion of said

automated synchronization (Column 2 lines 66 – 67, Column 3 lines 1 – 4, typical PDAs

comprise buttons to switch said PDAs on and off, a user can switch the PDA off after

synchronizing with another PDA). Taylor further teaches a command to automatically

switch off said mobile terminal device (Abstract, Cols.1 lines 30 – 34, 3 lines 59 – 64).

5.   Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lunsford

et al. (US 6,901,434) in view of Taylor et al. (US 6,865,683), as applied to Claim 1

above, and further in view of Hepper et al. (US 2003/0220966).

Regarding Claim 12, Lunsford in view of Taylor teaches all of the claimed

limitations recited in Claim 1. Lunsford in view of Taylor does not teach wherein said

automated synchronization is based on a synchronization markup language (SyncML)

standard.

Hepper teaches synchronization based on a synchronization markup language

(SyncML) standard (Section 0024 lines 1 – 8).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to use the SyncML standard of Hepper in the system of Lunsford in

view of Taylor as an alternative means for providing synchronization thus providing a

transport protocol for synchronization that is independent of the transport protocol.

6.   Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lunsford

et al. (US 6,901,434) in view of Taylor et al. (US 6,865,683), as applied to Claim 1

above, and further in view of Oh et al. (US 6,865,400).

Regarding Claim 13, Lunsford in view of Taylor teaches all of the claimed

limitations recited in Claim 1. Lunsford in view Taylor does not teach wherein said first

mobile terminal device is a cellular communication device.

Oh teaches a mobile terminal device that is a cellular communication device

(Column 3 lines 9 – 11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the PDA of Lunsford with the cellular phone circuitry of Oh for the purpose of providing a versatile multifunctional mobile device with diverse modes as taught by Oh.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond S. Dean whose telephone number is 571-272-7877. The examiner can normally be reached on Monday-Friday 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Raymond S. Dean

April 23, 2007

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